

PROB 12C
(7/93)

United States District Court

for

District of New Jersey

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Exavier Collins

Docket Number: 08cr768
PACTS Number: 28844

Name of Judicial Officer: The Honorable Faith S. Hochberg, U.S.D.J.

Date of Original Sentence: 11/02/2001

Original Offenses: Count One: Conspiracy to Possess With Intent to Distribute Cocaine and Cocaine Base
Count Two: Knowingly and Intentionally Carrying a Firearm During and in Relation to a Drug Trafficking Offense

Original Sentence: 84 months imprisonment; 4 years supervised release.

Type of Supervision: Supervised Release

Date Supervision Commenced: 03/23/2007

Assistant U.S. Attorney: To Be Assigned, 970 Broad Street, Room 502, Newark, New Jersey 07102,
(973) 645-2700

Defense Attorney: To Be Assigned, 972 Broad Street, 2nd Floor, Newark, New Jersey 07102,
(973) 645-6347

PETITIONING THE COURT

☒ To issue a warrant

The probation office alleges that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1 The offender has violated the supervision condition which states '**You shall not commit another federal, state, or local crime.**'

On June 11, 2008, Collins was arrested by officers of the New Brunswick Police Department after he was found to be in possession of marijuana. He was charged with possession of under 50 grams of marijuana, in violation of N.J.S.A. 2C:35-10A(4), a disorderly persons offense.

2 The offender has violated the supervision condition which states '**You shall not commit another federal, state, or local crime.**'

On July 29, 2008, Collins was issued summons # SC 2008-015798-0717 for having an open container of beer in public.

- 3 The offender has violated the supervision condition which states '**You shall not commit another federal, state, or local crime.**'

On August 16, 2008, Collins was driving an automobile without a valid driver's license.

- 4 The offender has violated the supervision conditions which state '**You shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.**'and '**You shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.**'and '**The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.**'

In December 2008, the offender was instructed to begin participation in the probation office's mandatory phase drug testing program, "Code-A-Phone". According to the program records, Collins has failed to call the toll free Code-A-Phone telephone number since March 12, 2009, and last submitted a urine specimen for testing on March 3, 2009. In addition, Collins has repeatedly failed to report to the probation office as instructed to make up missed drug testing or for scheduled office visits.

- 5 The offender has violated the supervision condition which states '**You shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons.**'

Collins is currently unemployed. Collins was not excused by the probation office from the requirement of working.

- 6 The offender has violated the supervision condition which states '**You shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.**'

On June 18, 2008, Collins admitted marijuana use and signed an *Admission of Drug Use* form indicating he last used the illicit substance on June 15, 2008. On August 5, 2008, Collins submitted a urine specimen which subsequently tested positive for marijuana. Collins admitted use and signed an *Admission of Drug Use* form indicating he used the illicit substance earlier that same date.

- 7 The offender has violated the supervision condition which states '**You shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.**'

On June 11, 2008, Collins associated with Eric Andrews, a convicted felon.

- 8 The offender has violated the supervision condition which states '**You shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.**'

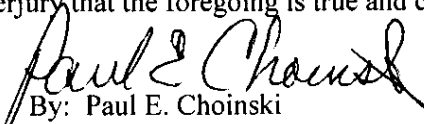
On or before June 14, 2008, Collins failed to notify the probation office of his arrest by New Brunswick Police on June 11, 2008. On or before August 1, 2008, Collins failed to notify the probation office of his contact with law enforcement on July 29, 2008.

- 9 The offender has violated the supervision condition which states '**You shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.**'

The offender has failed to submit *Monthly Supervision Reports* (MSRs) in a timely manner and has provided false and fraudulent information on those he submitted.

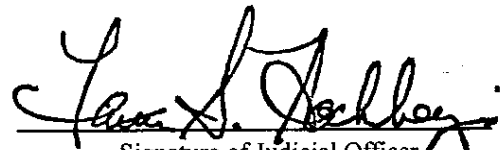
I declare under penalty of perjury that the foregoing is true and correct.




By: Paul E. Choinski
U.S. Probation Officer
Date: 4/20/09

THE COURT ORDERS:

- ☒ The Issuance of a Warrant
☐ The Issuance of a Summons. Date of Hearing: _____
☐ No Action
☐ Other


Signature of Judicial Officer

4/27/09
Date